

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

PHILLIPS 66,	)	
	)	
Respondent,	)	
	)	
and	)	<b><u>CONSOLIDATED</u></b>
	)	
UNITED STEEL, PAPER AND FORESTRY,	)	Case Nos. 31-CA-085243 &
RUBBER, MANUFACTURING, ENERGY,	)	31-CA-096709
ALLIED INDUSTRIAL AND SERVICE	)	
WORKERS INTERNATIONAL UNION	)	
(USW), AFL-CIO/CLC	)	
	)	
Charging Party.	)	

**EXCEPTIONS OF UNITED STEEL, PAPER AND FORESTRY, RUBBER,  
MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS  
INTERNATIONAL UNION, AFL-CIO/CLC TO THE ADMINISTRATIVE LAW  
JUDGE’S RECOMMENDED DECISION AND ORDER**

Pursuant to the National Labor Relations Board's Rules and Regulations 102.46, the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO/CLC (“Union”) takes these cross-exceptions to the findings, rulings and relief granted by Administrative Law Judge Lisa D. Thompson, as set forth in her November 25, 2014 recommended decision and order, JD(SF)-56-14 (cited as “JD.”) The Union has filed a brief in support of these cross-exceptions.

The Union excepts to the following findings of fact and conclusions of law, rulings and remedies:

1. Declining to require as a remedy that the notice to employees of the violations found be read to employees at a mandatory meeting during working hours. JD at 35, L43-45. This finding is contrary to the record evidence and contrary to established precedent.

2. That Respondent's serious violations are not so numerous, pervasive and outrageous that additional remedies are required. JD at 36, L2-4. This finding is contrary to record evidence and contrary to established precedent.

3. Declining to require as a remedy that, upon request from the Union, the Respondent be required to rescind the changes to terms and conditions of employment which it unilaterally implemented on December 10, 2012. JD at 37. This standard remedy in bad faith bargaining cases is contrary to the record evidence and contrary to established precedent and is necessary in order to ensure the union's ability to bargain under circumstances which are free from coercion and unlawful conduct.

Dated: March 6, 2015

Respectfully submitted,

By: /s/ Joseph P. Stuligross  
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(USW), AFL-CIO/CLC

**CERTIFICATE OF SERVICE**

**RE: PHILLIPS 66**

**CASES 31-CA-085243, 31-CA-096709**

The undersigned counsel for Attorneys for Charging Party United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (USW), AFL-CIO/CLC, hereby certifies that he caused a true and correct copy of the foregoing **EXCEPTIONS OF UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL UNION, AFL-CIO/CLC TO THE ADMINISTRATIVE LAW JUDGE'S RECOMMENDED DECISION AND ORDER** to be served upon the following counsel of record on this 6<sup>th</sup> day of March, 2015, by electronic mail and U.S. Mail:

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